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Agenda item 17

PROTECTION OF MINORITIES

Written statement submitted by the Inter-Parliamentary Union, a non-governmental organization in consultative status (category I)

The Secretary-General has received the following written statement which is distributed in accordance with Economic and Social Council resolution 1296 (XLIV).

[5 August 1993]

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Designed to dovetail with the World Conference on Human Rights, the IPU organized an Inter-Parliamentary Symposium on ***"Parliament: Guardian of Human Rights"****. The Symposium took place in Budapest, from 19 to 22 May 1993 at the invitation of the Hungarian Parliament with the assistance of the Parliamentary Assembly of the Council of Europe and the UN Centre for Human Rights. It gave 150 parliamentarians from 58 countries and a great many chairmen and active members of parliamentary human rights committees an opportunity to interact with representatives of the competent international organizations and with experts.*

Primarily devoted to a debate on the principles and means on which Parliament and its members can rely to promote human rights and effectively prevent all abuses in this area, the Symposium aimed to identify ways in which representative institutions could more effectively play their role of guardian of human rights and thus encourage more resolute parliamentary action in this field. The participants drew up a great number of recommendations for action by parliamentarians and human rights organizations.

Below are ***extracts from the summing-up of the Symposium debates by the President****, concerning the representation of minorities in parliament.*

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"(...) **THE REPRESENTATIVE NATURE OF PARLIAMENT**

9. The Symposium affirmed that parliament must possess certain basic characteristics if it is to be the real guardian of human rights.

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1 In July 1993, 124 parliaments were represented in the Inter-Parliamentary Union, which also had three international parliamentary assemblies as associate members: the Parliamentary Assembly of the Council of Europe, the Andean Parliament and the Latin American Parliament.

10. Its members must be chosen by the sovereign people in free and fair elections by universal and equal suffrage, in accordance with the principles set forth in Article 21 of the Universal Declaration of Human Rights. The principle of respect for the outcome of the poll was stressed in this context.

11. Part of parliament's authority derives from its capacity to reflect faithfully the diversity of all components of society: political trends, sexes, races, ethnic groups, minorities, etc. The great majority of speakers stressed that a system enabling the election of a pluralist assembly constitutes a guarantee to that effect; some, however, pointed out that the single-party system made possible adequate representation of all components of society. (...)

Representation of minorities

13. The Symposium dwelt at some length on ways to ensure adequate representation of minorities in parliament.

14. There is obviously no universal solution to very diverse situations ranging from homogeneous nations having a single national ethnic or religious minority, to those which are a constellation of groups with no one predominating element.

15. Various solutions were put forward. Some proclaimed that minorities must first and foremost be represented through the politico-institutional system common to the entire nation. Either because minorities may be geographically dispersed - a situation that hampers their representation within constituency boundaries - or because they lack political cohesiveness, other speakers were in favour of special politico-institutional measures: election of their representative(s) by the communities themselves regardless of the territorial division into constituencies, establishment of quotas, appointments, reserved seats. Moreover, it was stressed that in some countries, particularly in Africa, where the great number of ethnic groups does not facilitate national cohesiveness, the recognition of political parties on ethnic lines would be harmful.

16. The delegates unanimously recognized that the representation of minorities in parliament goes hand in hand with respect for their right to take part in local decision-making bodies but also with recognition and free exercise of their own culture and language, and access by their members to education, with no discrimination whatsoever.

17. The Symposium also stressed that the representatives of minorities in parliament must act and be considered as the representatives of the entire nation.

18. Several means through which parliament can ensure the protection of minorities were mentioned: setting up a specialized parliamentary body; making it a requirement for the Executive to report periodically to parliament on the implementation of the recommendations of the national body responsible for minority issues; appointing an independent commissioner for indigenous peoples who is also required to report to parliament.

19. 1993 being the International Year of Indigenous Peoples, several delegations underlined the importance of significant action on the historical injustices done to indigenous peoples being taken at the IInd World Conference on Human Rights.

20. In the context of the discussion on minorities, some delegations urged that the issue of equality for lesbians and gay men, including an end to criminal sanctions on adult homosexual activities, be addressed at the World Conference." Some delegations opposed this suggestion.